

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

### METHOD, SYSTEM, AND COMPUTER PROGRAM PRODUCT FOR AVOIDING DATA LOSS DURING NETWORK PORT RECOVERY PROCESSES

the specification of which (check one)

  X   is attached hereto.

\_\_\_\_\_ was filed on \_\_\_\_\_  
as Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign applications(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, any foreign application for patent inventor's or plant breeder's rights certificate(s) or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s):

Priority Claimed

_____	_____	_____	_____ Yes	_____ No
(Number)	(Country)	(MM/DD/YYYY)		

Certified Copy Attached? \_\_\_\_\_ Yes \_\_\_\_\_ No

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

John W. Henderson, Jr., Reg. No. 26,907; Thomas E. Tyson, Reg. No. 28,543; Robert M. Carwell, Reg. No. 28,499; Jeffrey S. LaBaw, Reg. No. 31,633; Douglas H. Lefevre, Reg. No. 26,193; Casimer K. Salys, Reg. No. 28,900; David A. Mims, Jr., Reg. No. 32,708; Mark E. McBurney, Reg. No. 33,114; Leslie A. Van Leeuwen, Reg. No. 42,196; Christopher A. Hughes, Reg. No. 26,914; John E. Hoel, Reg. No. 26,279; Joseph C. Redmond, Jr., Reg. No. 18,753; Marilyn S. Dawkins, Reg. No. 31,140; Diana L. Roberts, Reg. No. 36,654; Mark S. Walker, Reg. No. 30,699; Duke W. Yee, Reg. No. 34,285; Stephen J. Walder, Jr., Reg. No. 41,534; Stephen R. Tkacs, Reg. No. 46,430; Lisa L.B. Yociss, Reg. No. 36,975; Patrick Holmes, Reg. No. 46,380; Wayne P. Bailey, Reg. No. 34,289; Cathrine K. Kinslow, Reg. No. 51,886; Richard J. Moura, Reg. No. 34,883; Steven T. McDonald, Reg. No. 45,999; Francis Lammes, Reg. No. P-55,353; and Gerald H. Glanzman, Reg. No. 25,035.

Send correspondence to: **USPTO Customer Number 35525**, Duke W. Yee, Carstens, Yee & Cahoon, LLP, P.O. Box 802334, Dallas, Texas 75380 and direct all telephone calls to Duke W. Yee, (972) 367-2001.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF SOLE OR FIRST INVENTOR: Binh K. Hua

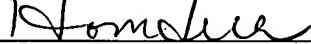
INVENTORS SIGNATURE:  DATE: 3/8/04

RESIDENCE: 11140 Callanish Park Drive  
Austin, Texas 78750

CITIZENSHIP: United States

POST OFFICE ADDRESS: Same as above

FULL NAME OF SECOND INVENTOR: Hong Lam Hua

INVENTORS SIGNATURE:  DATE: 3/5/04

RESIDENCE: 11140 Callanish Park Drive  
Austin, Texas 78750

CITIZENSHIP: United States

POST OFFICE ADDRESS: Same as above

FULL NAME OF THIRD INVENTOR: Sivarama K. Kodukula

INVENTORS SIGNATURE: Sivarama K. Kodukula DATE: 3/5/2004

RESIDENCE: 506 Brookstone Court  
Round Rock, Texas 78681

CITIZENSHIP: United States

POST OFFICE ADDRESS: Same as above